

# BULLETIN

SPRING 2013

BUREAU OF ELECTRONIC & APPLIANCE REPAIR, HOME FURNISHINGS & THERMAL INSULATION NEWSLETTER

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## MESSAGE FROM THE BUREAU CHIEF



Since my appointment as Bureau Chief, I have met regularly with interested parties and stakeholders and have had the opportunity to meet some of the Bureau's licensees by attending various association meetings. However for some of you, this will be our first introduction.

By way of background, I have served in various leadership positions with the Department of Consumer Affairs for the past 20-plus years and have served as Bureau Chief to three other bureaus in the Department (Bureau of Naturopathic Medicine, the Hearing Aid Dispensers Bureau, and the Telephone Medical Advice Services Bureau).

Throughout my career, I have strived to provide a high level of consumer protection, (with fairness toward the regulated industries), in an environment that is cost-effective, efficient, and transparent. I have worked directly with various industries on different regulatory and legislative changes, some of which were very challenging. One of those challenging times occurred when I served as Bureau Chief for the Bureau of Naturopathic Medicine. I worked with industry to develop recommendations to the Legislature on the scope of practice of Naturopathic Doctors, authoring three reports on natural childbirth, formulary, and minor office procedures. Developing those reports required the collaboration of naturopathic doctors, medical doctors, and pharmacists.. At times the issues were controversial. However, leading the discussions, negotiating outcomes, and navigating through competing interests to craft these recommendations has provided me the experience and ability to help marshal through the big changes BEARHFTI is now undertaking; the revision of the residential upholstered furniture flammability standard known as Technical Bulletin 117.

*Continued on page 2*

## REVISIONS UNDER WAY FOR UPHOLSTERY FLAMMABILITY STANDARDS

In June 2012, Governor Edmund G. Brown Jr. directed the Bureau to update the 37 year old residential upholstered furniture flammability standard known as Technical Bulletin 117 (TB 117).

The Bureau held workshops in July 2012 to gather input regarding current manufacturing techniques and materials and possible alternatives to the current standard.

After conducting research, consulting with both industry and public advocates, the Bureau developed a draft standard – TB 117-2013 – that addresses furniture flammability safety but provides manufacturers alternatives to meet the standard.

The Bureau held a regulatory hearing on March 26, 2013 receiving public testimony, in addition to the more than 30,000 emails and letters, and petitions with more than 80,000 signatures, before the public comment period was closed on March 26th. The Bureau will review and consider the recommendations submitted in preparing its final revisions and proceeding with the rulemaking file.

The proposed TB 117-2013 is available for viewing on our website at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov). The site will be updated as we move through the regulatory process. Once finalized all interested parties and applicable licensees will be notified.

### MESSAGE FROM THE BUREAU CHIEF *Continued from page1*

One way the Bureau demonstrates its actions and measures accountability is through a *Strategic Plan*. I am pleased to present the Bureau's new 2013-17 Strategic Plan which reframes the strategy and direction the Bureau will take over the next several years. The plan identifies several areas where additional work is necessary to ensure the Bureau meets its mission and as importantly holds us accountable to prioritizing and monitoring our activities. We are working hard to begin addressing matters identified in the strategic plan. In fact, this newsletter is one of our commitments to you detailed in the plan.

I encourage you to review the new strategic plan which is available on the Bureau's Web site at [www.bear.ca.gov/about\\_us/bear\\_bhfti\\_stratplan.pdf](http://www.bear.ca.gov/about_us/bear_bhfti_stratplan.pdf) and to contact the Bureau on areas of collaboration.

Best regards,  
TONYA BLOOD, *Bureau Chief*

## PROP 65

The California Environmental Protection Agency – Office of Environmental Health Hazard Assessment (CalEPA-OEHHA) is the State agency responsible for overseeing Proposition 65. The Bureau has added helpful links for information concerning Prop 65 on our website. You can access this information on the homepage of the website (under highlights). Click on the Prop 65 logo to find answers to frequently asked questions, clear and reasonable warnings and CalEPA-OEHHA contact information.



## LABORATORY: WHO WE ARE AND WHAT WE DO

Ever wonder what work the Bureau performs in our laboratory and the people who perform that work? The Bureau is unique in the types of testing and laboratory work it conducts for the State and in the staff it employs.

The Bureau's laboratory staff consists of flammability research test engineers, chemists, and textile technicians whose work is overseen by supervising chemist, Carrie. Carrie began her tenure with the Bureau as a textile technician in 1985 and assumed her supervisory role in 2006. She currently oversees all laboratory functions from employee safety to quality assurance and protocols.

The Bureau's two flammability research test engineers, Said who earned his Ph.D. in Engineering and Combustion Science and Sue who earned her Ph.D. in Environmental Chemistry, are experts on flammability testing and research. They lead the State in testing products for meeting State and Federal flammability standards and performing innovative research on new technologies and methodologies. Combined, they have 35 years of experience with the Bureau.

The Thermal Insulation program is administered by Steve, who holds a Ph.D. in Engineering and Combustion Science. Steve has expertise in all things deemed thermal insulation and ensures that values for insulation products are accurately portrayed. Steve is one of the Bureau's three chemists, along with Rajinder and Rosemarie, both of whom hold degrees in chemistry. All three chemists conduct a variety of work including, chemical analysis and percent calculations of all inside filling components, prepare detailed laboratory reports and assist in research and

development. Additionally, they review product labeling for discrepancies, communicate regularly with industry and consumers regarding amenable products, and answer a plethora of questions on labeling and flammability regulations.

Our textile technicians Horfa, Jamal, Karen, and Wayne, keep the laboratory running by receiving and logging in samples, preparing samples for testing and taking apart all components contained in upholstered furniture and bedding products, which includes cutting, measuring, weighing of all inside resilient filling materials, photographing etc. They also perform flammability testing and other required tests for upholstered furniture, bedding and thermal insulation products.

### BUREAU'S LAB IS CERTIFIED AND ACCREDITED

Thermal insulation laws require that manufacturers test their products at a certified and accredited laboratory and send the results to our Bureau lab for review. Under the law, all laboratories testing insulation products must be certified for proficiency and accuracy. That includes the Bureau's testing laboratory.

In July 2012, the National Institute of Standards and Technology, National Voluntary Laboratory Accreditation Program (NVLAP), conducted an inspection and assessment of the new Bureau laboratory. NVLAP subsequently certified and accredited the Bureau's laboratory in October 2012. This is a biennial accreditation and will require the Bureau to undergo recertification and accreditation in 2014.

## FACTS ABOUT THE BUREAU

### BUREAU OF ELECTRONIC AND APPLIANCE REPAIR (BEAR)

- 1963** Established as the Bureau of Repair Services under the Department of Professional and Vocational Standards (later named as the Department of Consumer Affairs) to regulate the television repair industry.
- 1973** The repair of major home appliances was added to the Bureau's regulatory authority.
- 1973–1990s** As technology evolved, the Bureau's regulation were revised to add such items as microwave ovens, personal computers, satellite antennas, and home office products.
- 1994** Service contracts over consumer electronic and home appliance products were added to BEAR's regulatory authority to provide compliance oversight of contract terms and conditions.
- 2004** Products covered under service contracts were expanded to include furniture, jewelry, lawn and garden products, and many other items used in homes and for personal use.

### BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION (HFTI)

- 1911** The passage of the Mattress Inspection Act formed the Bureau as part of the Bureau of Labor Statistics. The Act required regulation of the mattress industry and required labeling of mattresses to disclose concealed filling materials. It was the first law of its kind in the US.
- 1935** Renamed the Bureau of Furniture and Bedding Inspection.
- 1970** The Bureau was placed under the newly named Department of Consumer Affairs.
- 1973** The Bureau's jurisdiction was expanded to include regulating home furnishing products and the name changed to Bureau of Home Furnishings.
- 1984–1985** Responsibility for the Thermal Insulation testing program was transferred from the Energy Commission to the Bureau. The name changed to the Bureau of Home Furnishings and Thermal Insulation.
- 1996** The Bureau's licensing population changed. Importers were added, Manufacturers and Wholesalers license categories incorporated both bedding and furniture, and the Renovators license category was merged into the Manufacturers license.
- 1996** Waterbeds and fitness equipment became exempt products. Used furniture and antique retailers became exempted from licensure.

### BUREAU OF ELECTRONIC AND APPLIANCE REPAIR AND HOME FURNISHINGS AND THERMAL INSULATION (BEARHFTI)

- 2010** Merged both bureaus and renamed it BEARHFTI.
- 2012** Moved to new location.

## APPOINTMENT OF THE BUREAU CHIEF

On April 16, 2012, Governor Edmund J. Brown Jr. appointed Tonya Blood as Chief of the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation. This appointment requires Senate confirmation within one year of the date of the appointment.

On February 27, 2013, Ms. Blood's preconfirmation hearing was held by a committee of five State Senators in Sacramento. She received affirmative votes from all five Senators, thereby moving her confirmation appointment to the Senate floor for a final vote.

On March 21, 2013, the Senate unanimously confirmed her appointment.

Ms. Blood will continue to serve at the pleasure of the Governor.

## WE'VE MOVED

After 34-plus years in the same location, the Bureau of Electronic Appliance and Repair, Home Furnishings and Thermal Insulation moved to a new location in April 2012. The move placed the Bureau within a mile of the Department of Consumer Affairs' headquarters, making it more conveniently located.

The testing laboratory has been significantly updated, modernizing the chemistry and thermal insulation laboratories, and increasing the capacity for full-scale fire testing. Additionally, the new lab provides greater flexibility to conduct research.

### TO CONTACT US

#### Bureau of Electronic Appliance and Repair, Home Furnishings and Thermal Insulation

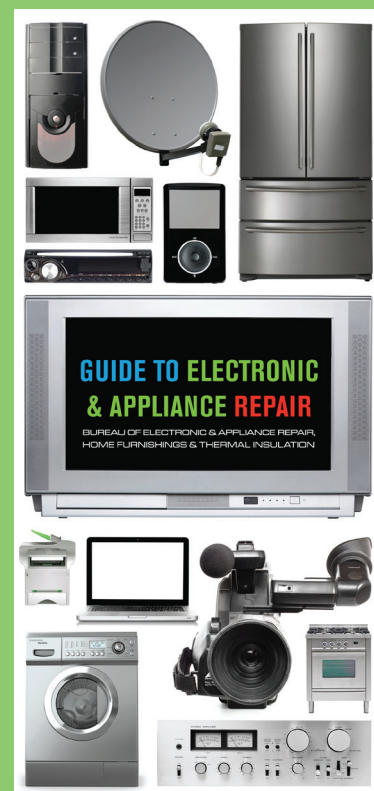
4244 South Market Court, Suite D  
Sacramento, CA 95834-1243  
(916) 999-2041 Phone  
(916) 921-7279 Fax

## NEW! GUIDE TO ELECTRONIC & APPLIANCE REPAIR

Virtually all California households have electronic equipment and major appliances. Besides necessities such as refrigerators and ranges, many Californians have personal computers, video equipment, televisions, and other electronics. Technology is changing rapidly, and new products are introduced every year, but even state-of-the-art equipment and appliances may eventually need repairs.

This new brochure explains how the California Department of Consumer Affairs' Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation protects the public by regulating electronic and appliance repair dealers and service contract providers. It also offers tips for consumers seeking repairs, as well as tips on purchasing appliances and electronic equipment.

You may view the complete guide on the Bureau's Web site at [http://www.bear.ca.gov/consumer/consumer\\_guide.shtml](http://www.bear.ca.gov/consumer/consumer_guide.shtml). If you would like copies in English or Spanish, please contact the Bureau.



## ADVISORY COUNCILS SEEKING MEMBERS

The Bureau Consumer Advisory Councils are informal, voluntary councils dedicated to assisting the Bureau by providing perspective, information, and insight into the consumer markets in California. Members of each Council serve in an advisory capacity on policy matters by making nonbinding recommendations directly to the Bureau Chief. The purpose of each Council is to:

- Provide perspective and advice on consumer and market issues.
- Research and recommend creative solutions to consumer and industry problems.
- Advise the Bureau Chief on outreach efforts to consumers, the public, licensees and the industry.
- Provide information and comments to the Chief on a broad range of policy issues including consumer education, industry outreach and regulatory compliance.

The Bureau has both an Advisory Council for Electronic and Appliance Repair and for Home Furnishings and Thermal Insulation. Although each Council is separate, they meet together as a joint entity to be informed of Bureau-wide activities and to collaborate on cross-cutting issues.

Each Council is made up of both industry and public members. Currently, the Bureau is actively seeking applications from public members. Although no vacancies currently exist for industry members, the Bureau will continue to accept industry applications to fill positions as they become vacant.

If you or someone you know is interested in serving on the Electronic and Appliance Repair Council, use the link below to complete the application and return it to the attention of the Bureau Chief.

**[http://www.bear.ca.gov/about\\_us/meetings/recruitment.pdf](http://www.bear.ca.gov/about_us/meetings/recruitment.pdf)**

If you or someone you know is interested in serving on the Home Furnishings and Thermal Insulation Council, use the link below to complete the application and return it to the attention of the Bureau Chief.

**[http://www.bhfti.ca.gov/forms/recruit\\_app.pdf](http://www.bhfti.ca.gov/forms/recruit_app.pdf)**

The Bureau will provide reasonable travel accommodation for each Council member, including airfare and mileage to meetings, and parking and meal allowances. If you would like more information about the Council or how to participate in the meetings, please contact us.

## RECENT AND UPCOMING BUREAU PUBLIC MEETING SCHEDULE

### **Regulatory Hearing: Residential Upholstered Furniture Flammability Standard (Technical Bulletin 117-2013)**

**March 26, 2013, at 10 a.m.**

Department of Consumer Affairs HQ  
First Floor Hearing Room  
1625 North Market Blvd.  
Sacramento, CA 95834

### **Bureau Joint Advisory Council Meeting**

**April 18, 2013, at 9 a.m.**

Department of Consumer Affairs HQ  
First Floor Hearing Room  
1625 North Market Blvd.  
Sacramento, CA 95834

### **Workshop on Thermal Insulation Standards**

**June 20, 2013, at 9 a.m.**

Department of Consumer Affairs HQ  
First Floor Hearing Room  
1747 North Market Blvd.  
Sacramento, CA 95834

### **Bureau Joint Advisory Council Meeting**

**November 7, 2013, at 9 a.m.**

Department of Consumer Affairs HQ  
First Floor Hearing Room  
1625 North Market Blvd.  
Sacramento, CA 95834

If you have questions or want information on these meetings, please contact the Bureau.



## ELECTRONIC SERVICE DEALERS MAY INSTALL INTERLOCK IGNITION DEVICES

On July 1, 2010, the California Department of Motor Vehicles (DMV) was mandated to implement a pilot program that required people convicted of driving under the influence to have an interlock ignition device (IID) installed in their vehicle. The counties in the pilot program are Alameda, Los Angeles, Sacramento, and Tulare.

Effective January 1, 2013, Senate Bill 1576, authored by the Committee on Business, Professions and Economic Development, was signed into law by Governor Edmund G. Brown Jr. The bill allows electronic service dealers registered with the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation to install IIDs in automobiles without maintaining a separate Automobile Repair Dealer registration from the Bureau of Automotive Repair.

An IID is a device that is slightly larger than a cell phone and is wired to a vehicle's ignition. After installation, the IID requires a breath sample before the engine will start. If alcohol is detected, the engine will not start and periodic breath samples are required to ensure the continued absence of alcohol in the driver's system.

To implement this new law, the Bureau will be putting together regulations to outline the responsibilities and draft requirements for companies that choose to install these devices. Installers will need certification from DMV, certain tools, and product documentation required by the device manufacturers.

Bureau Chief Tonya Blood and Licensing Manager Karen Skelton met recently with Department of Consumer Affairs legislative and legal staff, the Bureau of Automotive Repair, the Department of Motor Vehicles, and the Office of Traffic Safety on shared concerns. In the future, the Bureau will be working with BAR staff on compliance, field inspections, and enforcement methods so the Department consistently registers and regulates installers.

Once draft regulations are developed, they will be made available to the public for comment and input. Information about the regulatory hearing will be posted on our Web site at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov). Anyone interested in signing up as an interested party may e-mail a request to [homeproducts@dca.ca.gov](mailto:homeproducts@dca.ca.gov). Once you sign-up you will automatically be provided information on all regulatory hearings and actions.



## MILITARY PERSONNEL: FIND HELP ONLINE

The Bureau recently created Web pages specifically for our country's military personnel. Look for the icon of the military flags to access relevant information from



the Bureau's main Web site. We will continue to update the information and post new information as it becomes available.

It is the Bureau's pleasure to provide this service and honor the country's military personnel and their families.

In January, two bills were passed that affect people applying for licensure whose spouses or domestic partners are on active military status and for waiver of renewal fees while on active military status. Here is more information on those bills.

### **Expedited licensure for spouses or domestic partners**

Effective January 1, 2013, Assembly Bill 1904 added Section 115.5 to the California Business and Professions Code to require boards and bureaus under the California Department of Consumer Affairs to expedite licensure of spouses or domestic partners of active duty military personnel.

The requirements for this waiver are:

- The applicant supplies evidence satisfactory to the bureau that they are married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active military orders, and:
- The applicant holds a current license in another state, district, or territory of the United States in the profession or vocation for which he or she seeks a license or registration from the bureau.

If you feel you meet the qualifications for this waiver, please submit your substantiating documentation, along with the application for license/registration.

### **Renewal fees waived for active duty military**

Effective January 1, 2013, Assembly Bill 1588 added Section 114.3 to the California Business and Professions Code to allow boards and bureaus under the California Department of Consumer Affairs to waive renewal fees for military personnel while they are on active duty.

The requirements for this waiver are:

- The licensee or registrant possesses a current/valid license or registration with the bureau at the time he or she was called to active duty.
- The renewal fees are only waived for the time the licensee or registrant is on active service duty.
- Written documentation is provided to the bureau substantiating the licensee's or registrant's active duty service (e.g. copy of orders, letter from commanding officer, etc.).
- The licensee or registrant is not to provide private services covered by their license or registration to members of the public while the waiver is in effect. Licensees may still perform these services for the military as required.
- The licensee or registrant is to notify the bureau of receipt of a notice of discharge date within 60 days of receiving such notice.

If you feel you meet the qualifications for this waiver, please submit your substantiating documentation, along with your license or registration number, and your business name and address to the Bureau.



## SUMMARY OF 2012 LEGISLATION

The Bureau maintains a close watch on legislation that may affect our operations. The following legislation took effect January 1, 2013, unless otherwise noted.

### **AB 1443 LOGUE**

**(Chapter 90, Statutes of 2012)**

**Effective February 1, 2013**

Requires the Bureau to reimburse the manufacturer, distributor, or retailer for the actual cost of the article or sample taken for testing and analysis unless the article or sample is found to be in violation of the Act. (As products are being picked up, manufacturers and retailers are being provided information on the Bureau's process followed by written instructions on the reimbursement process.)

### **AB 1904 BLOCK**

**(Chapter 399, Statutes of 2012)**

Requires, with certain exceptions, boards and bureaus within the Department to expedite the licensure process for an applicant who holds a license in the same profession in another jurisdiction and is married to, or in a legal union with, an active duty member of the Armed Forces of the United States. (The Bureau developed procedures to do this and the information is available within the military pages of the Bureau's Web site.)

### **AB 1588 ATKINS**

**(Chapter 742, Statutes of 2012)**

Requires, with certain exceptions, boards and Bureaus within the Department to waive the renewal fees of any licensee or registrant who is called to active duty as a member of the U.S. Armed Forces or the California National Guard and is not engaging in any activities requiring a license while a waiver is in effect.

(The Bureau developed procedures and the information is available within the military pages of the Bureau's Web site.)

### **AB 1424 PEREA**

**(Chapter 455, Statutes of 2012)**

Requires the State Board of Equalization and the Franchise Tax Board to make available a list of the 500 largest tax delinquencies and cross-reference them with State licensing agencies. If matches are found between the tax delinquents and the Bureau's licensees, registrants and applicants, and the tax obligation is not paid by the required date, the agency may suspend or deny the license. (The Bureau has updated its Web site to show this bill's action as an "ALERT – Potential License Denial or Suspension for Failure to Pay Taxes." )

### **SB 1236 PRICE**

**(Chapter 332, Statutes of 2012)**

Extends the provisions of the service contractor program to January 1, 2015. (No further action required by the Bureau.)

### **SB 1576 COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT** **(Chapter 661, Statutes of 2012)**

Authorizes service dealers to install, calibrate, service, maintain, and monitor ignition interlock devices, and would exempt a person registered as a service dealer and whose work is limited to the installation or replacement of an ignition interlock device from the requirement to register with the Bureau of Automotive Repair. (Draft regulations are being developed to implement this legislative change.)

The bills may be viewed online at [www.leginfo.ca.gov](http://www.leginfo.ca.gov). Simply click on bill information and enter the specific bill number for either the prior (2011-12) or current session (2013-14).

## ADDRESSING UNLICENSED ACTIVITIES

In recent years, the electronic and appliance repair business has markedly changed from storefronts to mobile businesses. This prompted the Bureau to review our processes for addressing unlicensed activity. In late January, the Bureau began focusing resources on those engaged in unlicensed activity and utilizing the citation process to seek compliance upon first contact.

**February was the first full month of implementation.**

**In February, 85 citations were issued resulting in 39 new registrants.**

The Bureau is now beginning its review of unlicensed activity for wholesalers, distributors and manufacturers of home furnishings products. Changes are anticipated in the upcoming months.

## SNAPSHOT OF THE LICENSING POPULATION AS OF JULY 2012

TYPE	LICENSES/REGISTRATIONS
Bedding Retailer	1,954
Custom Upholsterer	493
Furniture & Bedding Manufacturer	1,415
Furniture & Bedding Retailer	11,258
Furniture & Bedding Wholesaler	189
Furniture Retailer	2,578
Importer	3,584
Sanitizer	15
Supply Dealer	132
Thermal Insulation	125
Appliance Service Dealer	2,396
Combination Service Dealer	524
Electronic Service Dealer	5,400
Service Contract Administrator	39
Service Contract Seller	9,335
<b>TOTAL</b>	<b>39,437</b>

## ARE YOU ELIGIBLE TO SUBMIT AN ONLINE LICENSE RENEWAL PAYMENT?

The Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation is now accepting renewal payments via credit card (Visa, MasterCard, Discover, and American Express) online! The following license/registration types may now pay directly through the Bureau's website:

### ELECTRONIC AND APPLIANCE REPAIR

REGISTRATION TYPE	
<b>A</b>	APPLIANCE SERVICE DEALER
<b>C</b>	COMBINATION APPLIANCE/ELECTRONIC SERVICE DEALER
<b>E</b>	ELECTRONIC SERVICE DEALER

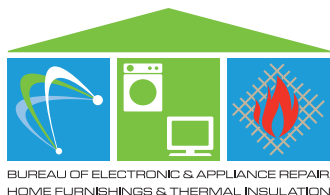
### HOME FURNISHINGS

LICENSE TYPE	
<b>A</b>	FURNITURE RETAILER
<b>B</b>	CUSTOM UPHOLSTERER
<b>H</b>	BEDDING RETAILER
<b>IMP</b>	IMPORTER
<b>M</b>	FURNITURE AND BEDDING RETAILER

Please go to our Web site at [www.bearhfti.ca.gov](http://www.bearhfti.ca.gov) to complete a short questionnaire to determine if you are eligible to renew your license online and to view the online payment instructions.



BUREAU OF ELECTRONIC & APPLIANCE REPAIR,  
HOME FURNISHINGS & THERMAL INSULATION



# BEARHFTI BULLeTIN

SPRING 2013



**BUREAU OF ELECTRONIC  
APPLIANCE AND REPAIR,  
HOME FURNISHINGS AND  
THERMAL INSULATION**

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**Home Furnishings and Thermal Insulation  
applications and fees should be mailed to:**

BEARHFTI Licensing

P.O. Box 980580

West Sacramento, CA 95798-0580

**Electronic and Appliance Repair  
applications and fees should be mailed to:**

BEARHFTI Licensing

P.O. Box 980578

West Sacramento, CA 95798-0578